



Atty. Docket No.: 8039/1090

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Riechmann, et al.  
Serial No.: 09/710,444  
Filed: November 10, 2000  
Entitled: "Selection System"

Examiner: B. Celsa  
Group Art Unit: 1639  
Conf. No.: 5253

TECH CENTER 1600/2900

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to: U.S. Patent & Trademark Office, Box: Sequence, P.O. Box 2327, Arlington, VA 22202.

Mary Wilson

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Signature of Person Mailing Paper

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Arlington, VA 22202

**RESPONSE TO OFFICE ACTION**

Sir:

This is filed in response to the Office Action of Non-Provisional Application mailed March 17, 2003 in the above-noted U.S. patent application.

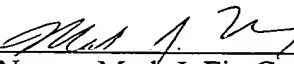
The Office Action stated that the Applicant must provide substitute computer readable and paper copies of the sequence listing along with the sequence listing statement required under 37 C.F.R. § 1.821(f) and (g), because the disk submitted December 10, 2002 was damaged by the P.T.O.

Enclosed please find a Substitute paper copy of the Sequence Listing, a Substitute Computer Readable copy of the Sequence Listing, and the Statement Under 37 C.F.R. § 1.821(f) and (g).

It is believed that no fees are due. However, if necessary, the Commissioner for Patents is hereby authorized to charge all fees in the total amount to Deposit Account No. 16-0085, Reference 8039/1090. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: April 8, 2003

  
Name: Mark J. FitzGerald  
Registration No.: 45,928  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



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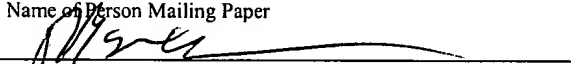
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Arlington, VA 22202

**TRANSMITTAL LETTER**

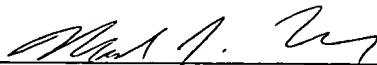
Enclosed for filing the above-identified patent application, please find the following documents:

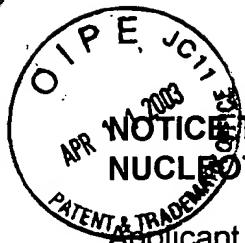
1. Response to Office Action mailed March 17, 2003;
2. Copy of Notice to Comply;
3. Substitute Paper Copy of the Sequence Listing;
4. Substitute Computer Readable Copy of the Sequence Listing;
5. Statement Under 37 C.F.R. §1.821(f) and (g); and
6. Return Post Card.

It is believed that no fees are due. However, if necessary, the Commissioner for Patents is hereby authorized to charge all fees in the total amount to Deposit Account No. 16-0085, Reference 8039/1090. A duplicate of this transmittal letter is enclosed for this purpose.

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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ Other:

**Applicant Must Provide:**

- ☒ An initial or **substitute** computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or **substitute** paper copy of the "Sequence Listing", as well as an amendment directing entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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